

Official Form 20A
(12/03)

United States Bankruptcy Court
Western District of Virginia

In re **Kenneth L. Waldron**

Case No. **10-61750**
Chapter **7**

Debtor
Address General Delivery Main Post Office Culpeper, VA 22701
Employer's Tax Identification (EIN) No(s). _____
Last four digits of Social Security No(s). **xxx-xx-9935**

NOTICE OF HEARING

Please take notice, that a hearing on the Debtor's Motion for Voluntary Dismissal will be held on October 18, 2010 at 10:00 a.m., or as soon thereafter as Counsel may be heard in the United States Bankruptcy Court 255 West Main Street Charlottesville, Virginia 22906.

MOTION FOR VOLUNTARY DISMISSAL

Comes now the debtor, Kenneth L. Waldron, by counsel, pursuant to Rule 1017(a) of the Federal Rules of Bankruptcy Procedure, and moves for a voluntary dismissal of his case. In support thereof, counsel states as follows:

1. The debtor filed the instant chapter 7 case on June 21, 2010.
2. Creditors of the debtor, to wit, Craig and Susan Malloy, by counsel, have filed an adversary proceeding, seeking to obtain a judgment for substantial damages from the debtor and to declare their claims to be nondischargeable. The debtor is 70 years old and lives on income of only \$2415.00 per month, including \$790.00 in social security income and \$1625.00 in unemployment compensation benefits. His meagre resources are insufficient to defend the dischargeability complaint, and a judgment declaring the Malloys debt to be nondischargeable would substantially reduce the benefit of the debtor's discharge. Therefore, the debtor wishes to dismiss voluntarily the bankruptcy at this time.
3. The Chapter 7 trustee has received an offer to buy the debtor's personal property that would result in only approximately \$1800.00 for administration. The debtor's scheduled unsecured non-priority debts are \$120,058. The benefit to creditors of administration is therefore de minimis.

Wherefore, the debtor prays that his Motion for Voluntary Dismissal be granted.

Date **September 11, 2010**

Signature **/s/ Steven Shareff**
Name **Steven Shareff 24323**
Address **Steven Shareff, Esquire**
PO Box 729
Louisa, VA 23093

/s/ Kenneth L. Waldron

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Certificate of Service

I hereby certify that a copy of the foregoing has been served electronically or by mail to the Chapter 7 Trustee, and to all creditors and interested parties, this 11th day of September, 2010.

/s/ Steven Shareff